

**ORIGINAL**

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6071

AN ORDINANCE authorizing and providing for the acquisition of interests in land for the purpose of completing the NE 8<sup>th</sup> Pedestrian Sidewalk Improvement Project; providing for condemnation, appropriation, taking of land and property rights necessary therefore; providing for payment thereof and directing the initiation of appropriate proceedings in the manner provided by law for said condemnation.

WHEREAS, on December 6, 2010, the City Council adopted the 2011-2017 Capital Investment Program (CIP), by Ordinance No. 5978; and

WHEREAS, the City's Pedestrian Access Improvement Program, CIP Plan No. PW-W/B-56, was adopted as part of the 2011-2017 CIP, and includes the NE 8<sup>th</sup> Pedestrian Sidewalk Improvement Project (the "Project"); and

WHEREAS, the Project includes the public uses of constructing or adding curb, gutter, and sidewalk, illumination, storm drainage and detention and other utility infrastructure as needed; and

WHEREAS, the City Council has found that the public health, safety, necessity and convenience demand that said Project be undertaken at this time and that in order to carry out the Project it is necessary at this time for the City to acquire interests and rights to the property described herein; and

WHEREAS, the City Council finds and declares it necessary and in the best interest of the public that interests in the land and property rights hereinafter described be condemned, appropriated, and taken for public use, subject to the making or paying of just compensation to the owner thereof in the manner provided by law; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The land and property rights within the City of Bellevue, King County, Washington, as generally described in Exhibit "A" and generally depicted on Exhibit "B", are necessary for construction of the Project described above, subject to the making or paying just compensation to the owners thereof in the manner provided by law.

Section 2. The City Council of the City of Bellevue finds construction of the Project to be a public use, specifically the public use of constructing or adding curb, gutter, and sidewalk, illumination, storm drainage and detention and other utility infrastructure as needed. The City Council specifically finds construction of the Project to be necessary, and in the best interests of the citizens.

Section 3. The cost and expense of acquiring the property rights described in this Ordinance shall be paid from the Capital Investment Program (CIP) Plan, or from other general funds of the City. The Director of the Civic Services Department or her designee is hereby authorized to negotiate with and make offers to, and execute agreements with the owners of said land or property interests, for the purposes of obtaining necessary property interests and making or paying just compensation, and to approve the payment of just compensation as negotiated with said owners or as ordered by the Court.

Section 4. In the absence of negotiated purchases with the affected property owners, the City Attorney or her designee is hereby authorized and directed to undertake proceedings provided by law to condemn, appropriate, and take the property necessary to carry out the provisions of this ordinance. In so doing, the City Attorney or her designee is authorized to utilize legal descriptions and depictions of the property rights condemned herein in a format more precise than those general descriptions and depictions set forth in Exhibits A and B. The City Attorney or her designee is further authorized to approve and enter into any and all such agreements, stipulations, and orders necessary to carry out the provisions of this ordinance, including for the payment of just compensation as agreed to with the property owners, or as ordered by the Court.

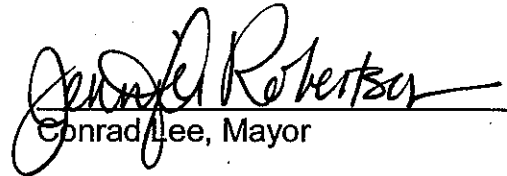
Section 5. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

ORIGINAL

1293-ORD  
08/30/12

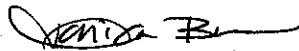
Passed by the City Council this 4<sup>th</sup> day of September, 2012  
and signed in authentication of its passage this 4<sup>th</sup> day of September,  
2012.

(SEAL)

  
Conrad Lee, Mayor


Approved as to form:

Lori M. Riordan, City Attorney



Monica Buck, Assistant City Attorney

Attest:

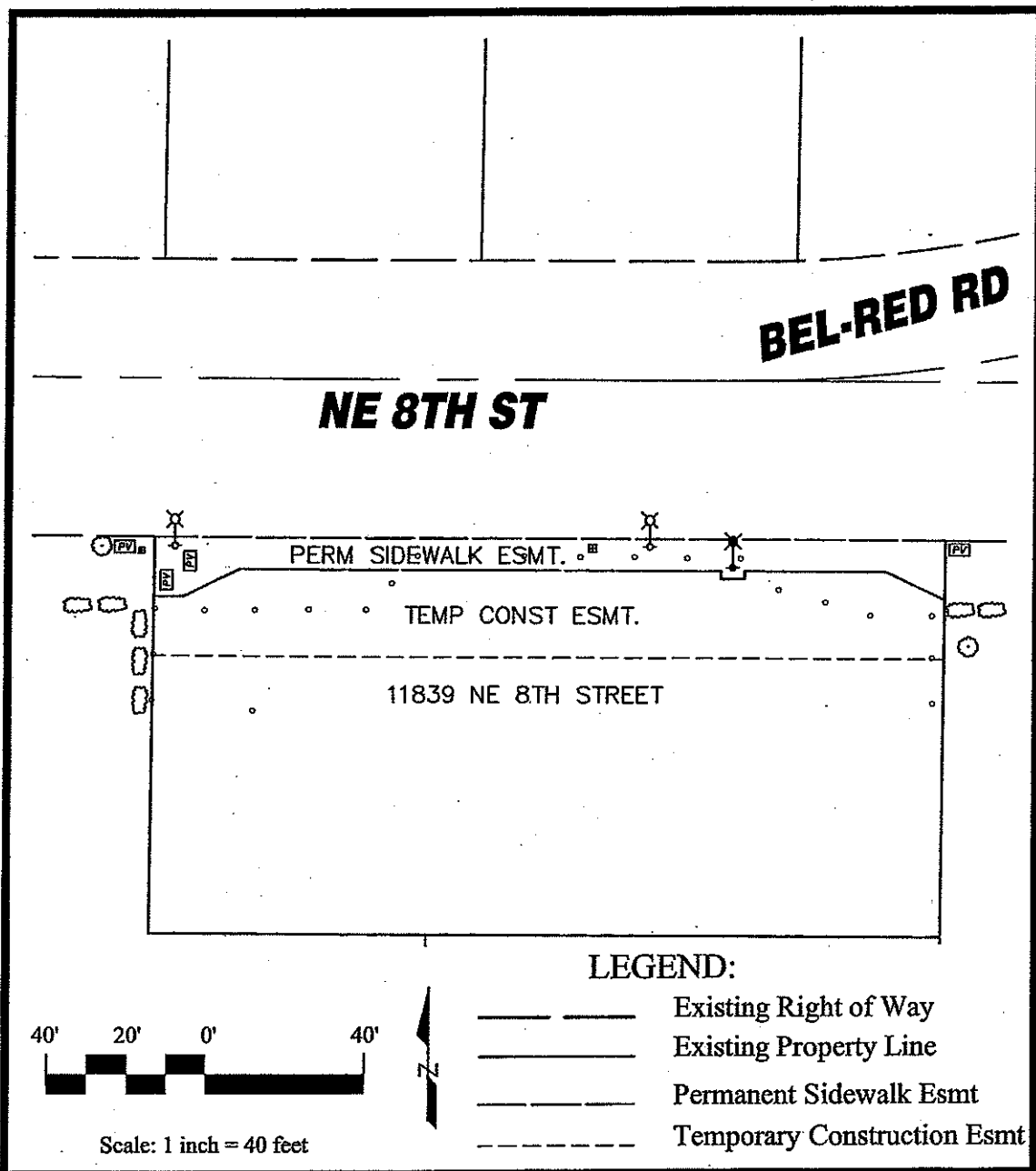
  
Myrna L. Basich, City Clerk

Published September 7, 2012

**EXHIBIT A**

<b>Property Location</b>	<b>King County Parcel No.</b>	<b>Property Rights Required</b>	<b>Approximate Square Footage</b>
11839 NE 8 <sup>th</sup> Street	332505-9108	Sidewalk and Utility Easement	1,767
		Temporary Construction Easement	4,233

# EXHIBIT B



## EXHIBIT MAP

11839 NE 8TH STREET

Section 33, T.25 N., R.05 E., W.M.  
King County, Washington

ACAD File: 12013ESMT - NE 8th St.dwg

Date: 07/18/12

SLB



# City of Bellevue

Civic Services Department